

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BRIAN THOMPSON,

Plaintiff,

v.

MEGAN J. BRENNAN, et al.,

Defendants.

Case No. 17-cv-03798-EMC

**ORDER REGARDING PLAINTIFF'S
REQUEST FOR ADDITIONAL TIME
TO OPPOSE DEFENDANT'S MOTION
TO DISMISS**

Docket No. 18

On November 17, 2017, the Court ordered Plaintiff to show cause by December 1, 2017 why his case should not be dismissed due to failure to file an opposition to Defendant's motion to dismiss. *See* Docket No. 18. The Court ordered Plaintiff to respond to Defendant's motion in the same filing. *Id.* On December 1, 2017, Plaintiff's counsel filed an affidavit stating that she has been searching for co-counsel to help prosecute this case in light of a serious medical condition, and requesting additional time to submit a response to the Court's order and Defendant's motion. Defendant's position on the request is not clear, but Plaintiff states that Defendant had previously agreed to grant her until November 20 to file an opposition but the Court issued its order to show cause before a stipulation was filed. Plaintiff failed to file an opposition by either the stipulated date (November 20) or the later deadline set by the Court (December 1). Thus, Plaintiff has failed to meet both deadlines. However, because Plaintiff's affidavit attest to a serious medical condition, the Court orders the parties to meet-and-confer and to file a stipulation **by Friday December 8, 2017** regarding a reasonable briefing schedule for Defendant's motion to dismiss. If

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an agreement is not reached, Plaintiff must file a motion to enlarge time in accordance with the Local Rules by the same date. *See* Local Civ. R. 6-3 (rule governing motion to change time).

IT IS SO ORDERED.

Dated: December 4, 2017



EDWARD M. CHEN
United States District Judge